

By: González of El Paso

H.B. No. 1280

A BILL TO BE ENTITLED

AN ACT

relating to the distribution to school districts of the annual apportionment of the available school fund.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 42.251(b), Education Code, is amended to read as follows:

(b) The program shall be financed by:

(1) ad valorem tax revenue generated by an equalized uniform school district effort;

(2) ad valorem tax revenue generated by local school district effort in excess of the equalized uniform school district effort; and

~~(3) [state available school funds distributed in accordance with law; and~~

~~(4)]~~ state funds appropriated for the purposes of public school education and allocated to each district in an amount sufficient to finance the cost of each district's Foundation School Program not covered by other funds specified in this subsection.

SECTION 2. Sections 42.253(a) and (c), Education Code, are amended to read as follows:

(a) For each school year the commissioner shall determine:

(1) the amount of money to which a school district is entitled under Subchapters B and C;

(2) the amount of money to which a school district is

1 entitled under Subchapter F;

2 (3) ~~[the amount of money allocated to the district~~
3 ~~from the available school fund;~~

4 [(4)] the amount of each district's tier one local
5 share under Section 42.252; and

6 (4) [(5)] the amount of each district's tier two local
7 share under Section 42.302.

8 (c) Each school district is entitled to an amount equal to
9 the difference for that district between the sum of Subsections
10 (a)(1) and (a)(2) and the sum of Subsections (a)(3) and [(a)(4)]
11 ~~and (a)(5)]~~.

12 SECTION 3. Section 43.001, Education Code, is amended by
13 amending Subsection (c) and adding Subsection (c-1) to read as
14 follows:

15 (c) The term "scholastic population" in Subsection (b) or
16 any other law governing the apportionment, distribution, and
17 transfer of the available school fund means all students of school
18 age enrolled in weighted average daily attendance the preceding
19 school year in the public elementary and high school grades of
20 school districts within or under the jurisdiction of a county of
21 this state.

22 (c-1) The amount provided to a school district as a result
23 of the annual apportionment of the available school fund in
24 accordance with Subsection (b) is in addition to amounts to which
25 the district is entitled under Chapter 42.

26 SECTION 4. Section 45.259(d), Education Code, is amended to
27 read as follows:

1 (d) If money appropriated for the Foundation School Program
2 is used for purposes of this subchapter and as a result there is
3 insufficient money to fully fund the Foundation School Program, the
4 commissioner shall, to the extent necessary, reduce each school
5 district's foundation school fund allocations[~~, other than any~~
6 ~~portion appropriated from the available school fund,~~] in the same
7 manner provided by Section 42.253(h) for a case in which school
8 district entitlements exceed the amount appropriated. The
9 following fiscal year, a district's entitlement under Section
10 42.253 is increased by an amount equal to the reduction under this
11 subsection.

12 SECTION 5. This Act takes effect September 1, 2017.